

**TENNESSEE BOARD OF COMMUNICATION DISORDERS AND
SCIENCES**

DATE: August 19, 2008

TIME: 10:00 a.m.

LOCATION: Ground Floor, Iris Room
227 French Landing
Nashville, TN 37243

BOARD MEMBERS

PRESENT: Dr. Melinda Richards, Speech Pathologist, Chair
Dr. Valeria Matlock, Audiologist
Dr. William Dickinson, Audiologist
Dr. Jerome W. Thompson,
Physician/Otolaryngologist
Ms. Paulette Dobbins, Speech Pathologist
Ms. Lynne Harmon, Speech Pathologist

STAFF PRESENT: Stacy Tarr, Board Administrator
Lexie Whittemore, Advisory Attorney
Barbara S. Maxwell, Administrative
Director

Dr. Richards, chair, called the meeting to order at 10:09 a.m. A sufficient number of Board members were present to constitute a quorum.

Dr. Richards welcomed Dr. Jerome Thompson, Dr. Valeria Matlock and Ms. Lynne Harmon as new members to the Tennessee Board of Communication Disorders and Sciences.

Ms. Whittemore said Alison Cleaves, General Counsel with the Office of General Counsel, is in the audience to discuss Agreed Citations.

Discuss Agreed Citations and Disciplinary Actions

Ms. Cleaves stated she had been attending Board meetings to discuss how the Board wants to deal with practitioners working on a lapsed license and those who fail to obtain the required continuing education.

Ms. Cleaves said the Board currently has a policy statement that imposes a \$100 monthly civil penalty, after a three (3) month grace period, for those working on a lapsed license. Ms. Cleaves asked the Board to consider implementing a civil penalty, which is a form of discipline, against practitioners working on a lapsed

license. Ms. Cleaves stated the practitioner can accept or reject the civil penalty; however, if rejected it will come before the board as a contested case hearing.

Dr. Dickinson asked if the \$100 monthly penalty was standard across the Boards. Ms. Cleaves said yes, the penalty is consistent across the Boards.

Upon discussion, Ms. Harmon made a motion, seconded by Dr. Thompson, to maintain its current lapsed license policy, which is a form of discipline and is reported to the Department of Health's web site.

Ms. Cleaves asked the administrative staff if there were a policy regarding continuing education. Ms. Tarr said she believed the practitioner is imposed a civil penalty; however, she was not the board administrator when the policy was implemented but would look it up.

Ms. Cleaves said the Board can determine if it's appropriate to impose a civil penalty or allow the practitioner to make up the hours and suggested the Board put this on the agenda for a vote at the next meeting.

Dr. Richards asked Ms. Tarr to sunshine the agreed citations and disciplinary actions regarding continuing education for the November 18, 2008.

Disciplinary Report

Ms. Stone reviewed the disciplinary report with the Board stating there are no open complaints in investigations for audiologists or speech pathologists. Ms. Stone stated one complaint was referred to OGC in February. Ms. Stone said one complaint was referred to the Screening Panel which was closed in July with no action.

Monitored Practitioner Report

Ms. Stone reviewed the monitored practitioner report stating there are currently one speech pathologists and one unlicensed person being monitored. Ms. Stone stated if the practitioner fails to comply with the stipulations of the order it will go to OGC for further action.

Review/Approve the February 12, 2008 Board Meeting Minutes and May 30, 2008 Teleconference Minutes

Upon review of the February 12, 2008 Board Meeting minutes Dr. Dickinson made a motion, seconded by Dr. Thompson, to approve the minutes as corrected. The motion carried.

Upon review of the May 30, 2008 Teleconference Minutes Dr. Dickinson made a motion, seconded by Dr. Thompson, to approve the minutes as written. The motion carried.

Review December 13, 2007 and March 13, 2008 Council for Hearing Instrument Specialists Minutes

Dr. Dickinson said there had been some discussion about applicants bringing in their own patients to test for the practical examination. Dr. Dickinson stated there is no standard on what the tests are and if the results are accurate. Dr. Dickinson said the Board offered the HIS Board a grant to purchase a simulator for the exam and that he and Mr. Haltom have left message on each other's voice mail but have not spoken regarding the simulator.

Dr. Richards if audiologists are being trained with a simulator.

Dr. Dickinson stated they are incorporating the simulator in their graduate program.

The Board discussed the use of audioprosthology, which was noted in the March 13, 2008 minutes. Ms. Whittemore said upon research of the use of audioprosthology the AG's office in Oregon said it was a violation of the Consumer's Protection Act; Florida and Arkansas allows licensed audiologist or speech pathologists could use audioprosthology; Arizona allows audiologists to use the term audioprosthology; and Michigan is in debate over use of the term audioprosthology.

Upon discussion, Dr. Dickinson asked Dr. Matlock to talk to her colleagues regarding audioprosthology and stated she would talk to TASSSTA.

Conflict of Interest Policy Statement

Ms. Whittemore reviewed the Conflict of Interest Policy Statement with the Board members stating that no Board member should vote on anything in which they have a personal or business interest. Ms. Whittemore asked the Board to disclose any potential conflicts of interest to determine if a conflict exists and whether or not the member should leave the hearing room during the proceedings.

Office of General Counsel Report

Ms. Whittemore stated the Office of General Counsel currently has one (1) open case pertaining to the Board of Communication Disorders and Sciences.

Ms. Whittemore stated the only topic for discussion was the conflict of interest policy statement.

Financial Report

Ms. Tarr reviewed the Financial Report stating the Board has a projected cumulative carryover of \$78,082.23 as of June 30, 2008.

Dr. Richards asked if the Board could set aside money for grant.

Ms. Miller said the Board could request approval for a grant for any program the Board feels necessary to perform their duty.

Dr. Dickinson asked if the Board could make adjustments on the amount of fees it collects since the revenue is generated by licensure and renewal fees.

Ms. Miller said a fee adjustment would have to go through rulemaking and suggested the Board sunshine this for the next Board meeting and asked Ms. Tarr to obtain a history of the licensure and renewal fees for the past five years.

Administrative Report

Ms. Tarr stated there are 315 active, 134 retired, 229 failed to renew and 9 revoked audiologists. Ms. Tarr said there are 1575 active, 932 retired, 885 failed to renew and 10 revoked speech pathologists.

Ms. Tarr stated 16 audiologists and 114 speech pathologists renewed their license on line between January 31, 2008 and August 11, 2008.

Ms. Tarr asked the Board members to sign their travel forms in blue ink and submit original hotels bills for payment.

Ms. Tarr said of the three (3) speech pathologists and one (1) audiologist audited in January all were in compliance; of the three (3) speech pathologists audited in February one (1) was non-compliant, and the one (1) audiologist audited was in compliance; of the four (4) speech pathologists audited in March, two (2) were non-compliant, and the one (1) audiologist audited was non-compliant.

In discussion the percentage of practitioners audited Dr. Dickinson said if they audited the renewals every two months with a five percent (5%) audit there would be a higher number of practitioners being audited.

Ms. Miller said the Board can determine how many and what percentage of practitioners should be audited.

Consider Authorizing a Grant Proposal for the HIS Board

In discussion a grant proposal to purchase a simulator the HIS Board, Ms. Miller asked the Board to determine the dollar amount and what they want to do and she will find out what the procedures are for obtaining a grant.

Ms. Whittemore stated that Dr. Dickinson and Mr. Haltom needed to discuss the software and equipment needed for the exam and asked the Board to table this discussion until Dr. Dickinson communicates with the HIS board.

Ms. Harmon made a motion, seconded by Dr. Matlock, to table authorizing a grant proposal until Dr. Dickinson could communication with Mr. Haltom. The motion carried.

Ratify Newly Licensed Speech Language Pathologists, Audiologists and Speech Language Pathologist Assistant

Upon review, Dr. Dobbins made a motion, seconded by Dr. Thompson, to ratify the following speech language pathologists, audiologists and speech language pathologist assistant.

SPEECH LANGUAGE PATHOLOGISTS

- | | |
|-----------------------|------|
| 1. Gage, Angela | 3733 |
| 2. Vincent, Haley | 3686 |
| 3. Morris, Ashley | 3838 |
| 4. Glenn, Kimberly | 3833 |
| 5. McClain, Kerri | 3857 |
| 6. Sitton, Leslie | 3668 |
| 7. Ulrey, Sara | 3605 |
| 8. Tolliver, Kristin | 3679 |
| 9. Douthat, Tammie | 3868 |
| 10. Hatcher, Kristin | 3762 |
| 11. Moore, Amanda | 3724 |
| 12. McDaniel, Marla | 3869 |
| 13. Dinkins, James | 3558 |
| 14. Blake, Sarah | 3416 |
| 15. Hendrick, Laura | 3850 |
| 16. Henry, Natasha | 3714 |
| 17. Kuck, Megan | 3882 |
| 18. Sparks, Sara | 3880 |
| 19. Hobbs, Michal | 3892 |
| 20. Stockton, Sarah | 3848 |
| 21. Beauchamp, Amy | 3879 |
| 22. Bavido, Heather | 3698 |
| 23. Holloway, Kaleena | 3870 |

24. Dickinson, Laura	3846
25. Bedsole, Katherine	3895
26. Rogerson, Brenda	3873
27. McGee, Barbara	3909
28. Strong, Sara	3923
29. Isaacson, Jennifer	3651
30. Sessions, Kristin	3718
31. McMillin, Abbye	3700
32. Paige, Leighanne	3755
33. Falconbury, Erica	3889
34. Goodman, Meredith	3666
35. Shelton, Kristen	3893
36. Davis, Carrie	3931
37. St. John, Carolyn	3875
38. Milewski, Stacey	3860
39. Galey, Megan	3704
40. Dickens, Kimberly	3918
41. Fava, Edith	3829
42. Weathersby, Elizabeth	3943
43. Maxwell, Jesslyn	3942
44. Gibbs, Denise	3912
45. Hartley, Cara	3938
46. Ritzema, Melody	3656
47. Johnson, Kelli	3702
48. Adams, Becky	3937
49. Olson, Leah	3933
50. Banks, Amy	3759
51. Anderson, Malissa	3898
52. Thornton, Laura	3675

AUDIOLOGY

1. Keller, Daniel	1513
2. Watkins, Lindsey	1489
3. Piker, Erin	1488
4. Jefferson, Darlishia	1515
5. Quiller, Travis	1516
6. Ambrose, Tracey	1519
7. Cates, Wendy	1517
8. Galloway, Stephanie	1524
9. Buckingham, Jill	1518
10. Powers, Christine	1523
11. King, Brani	1511

SPEECH LANGUAGE PATHOLOGIST ASSISTANT

- | | |
|----------------------|-----|
| 1. Spychalski, Robyn | 316 |
|----------------------|-----|

The motion carried.

Ratify Reinstated Speech Language Pathologists, Audiologists and Speech Language Pathologist Assistant

Upon review, Ms. Harmon made a motion, seconded by Dr. Matlock, to ratify the reinstated speech language pathologists, audiologists and speech language pathologist assistant:

SPEECH LANGUAGE PATHOLOGISTS

- | | |
|----------------------|------|
| 1. Layton, Melissa | 2365 |
| 2. Johnson, Johnna | 3051 |
| 3. Jolly, Regina | 871 |
| 4. Quick, Ava Kel-La | 3060 |
| 5. Hochrein, Celeste | 947 |
| 6. McGuire, Jennifer | 1957 |
| 7. Stone, April | 2525 |

AUDIOLOGISTS

- | | |
|---------------------|------|
| 1. Mabry, Max | 1295 |
| 2. Franklin, Sheila | 1198 |

SPEECH LANGUAGE PATHOLOGIST ASSISTANT

- | | |
|------------------|-----|
| 1. Wise, Maureen | 248 |
|------------------|-----|

The motion carried.

Review Licensure Files

Upon review of the speech language pathologist application for **Paige Huggins**, Dr. Matlock made a motion, seconded by Ms. Harmon, to approve Ms. Huggins for licensure. The motion carried.

Upon review of the speech language pathologist application for **Megan Dean**, Dr. Matlock made a motion, seconded by Dr. Thompson, to approve Ms. Dean for licensure. The motion carried.

Review Correspondence

The Board reviewed a letter **Janet Wamsley**, Tennessee Department of Education, Office of Teach Licensing, asking the Board to utilize their website to verify licenses. Ms. Tarr said she had already used their website to obtain licensure information.

In discussing licensure verification and disciplinary action, the Board decided to contact ASHA and AAA to obtain information regarding certification and licensure verification before making a decision on using the Department of Education's website. Dr. Richards asked that she correspondence be sunshined for the next meeting.

The Board reviewed an e-mail from **Kimberly Peters** asking if supervisors must provide direct or indirect supervision. Ms. Whittemore stated the supervisor must provide ten percent (10%) of direct supervision and twenty percent (20%) of indirect supervision.

The Board reviewed a letter from **Mary C. Walton**, with Costco Wholesale, asking if an employee who is not a audiologist to receive hearing aids to be repaired or hand a patient their repaired hearing aid when she is not present.

Dr. Dickinson said this is a concern about pick ups because once the hearing aid is repaired and given back to the patient there needs to be procedures to determine if the repair has been made and verify that everything is complete and ready for use. Dr. Dickinson said it is very contentious whether or not we can have a hearing aid assistant. Dr. Dickinson said these types of duties are covered under the hearing aid licensing law.

Schedule Board Meeting Dates for 2009

The board scheduled the following Board meeting dates for 2009:

February 10, 2009

May 12, 2009

August 11, 2009

November 10, 2009

With no other Board business to conduct, Dr. Matlock made a motion, seconded by Dr. Thompson, to adjourn at 12:12 p.m. The motion carried.

Ratified by the Board of Communication Disorders and Sciences at the November 18, 2008 board meeting.